

Docket Number 38-21(52806)B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE UNDER 37 C.F.R. §§ 1.6(a)(4) & 1.8

I hereby certify that this correspondence is being transmitted electronically to the United States Patent and Trademark Office via the EFS-Web on the date shown below:

/ Tina M. Lafser /

NOV 24, 2009

Signature

Date

In re application of: Baum et al.

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) Examiner: Kubelik, Anne R.

Serial No.: 10/563,270

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) Group Art Unit: 1638

Filed: January 4, 2006

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371 Acceptance Date: May 2, 2006

)

) Conf. No. 4307

For: Insecticidal Proteins Secreted from

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Bacillus Thuringiensis and Uses Therefor

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Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE ACTION

This paper is filed in response to the official action mailed May 27, 2009 along with a petition for a three months extension of time under 37 CFR 1.136(a) with authorization for the office to deduct the fee or other fees not reasonably anticipated with this reply under 37 CFR 1.17(a)(3) from the applicant Monsanto USPTO deposit account 13-4125. It is respectfully requested that the Examiner enter the amendments to the specification and the claims set forth herein below, and in view of the attendant remarks, find that the claims are now in condition for allowance. It is believed that no new matter is introduced as a result of these amendments.